

## 71st Legislature - 1989

### SYNOPSIS OF PROPOSED CHANGES TO THE HOUSE RULES H.R. 15 by Wilson/Gibson

#### Rule 2 - Employees of the House

1. The requirement is eliminated that the chief clerk include a copy of the water letter with the certification of each enrolled water district bill.  
(Rule 2, Section 1(a)(12)(D))

No action is required by the legislature on the recommendations of the Water Commission and the chief clerk's certification only serves the purpose of complying with the rules. Elimination of this requirement prevents the possibility of the chief clerk not being able to certify a water district bill at the end of the session because the water letter has not been received.

2. The reading clerk is placed under the supervision of the journal clerk rather than the sergeant at arms.  
(Rule 2, Section 3)

The duties of the reading clerk are more consistent with the responsibilities of the journal clerk.

3. The committee coordinator is added as an employee of the house whose duties are specifically listed.  
(Rule 2, Section 7)

#### Rule 3 - Standing Committees

4. A Redistricting Committee is added as a procedural committee with 9 members.  
(Rule 3, Section 28, and Rule 4, Section 2(a)(5))

5. A State, Federal, and International Relations Committee is added as a substantive committee with 9 members.  
(Rule 3, Section 33)

6. The membership of the Appropriations Committee is reduced from 29 members to 23 members.  
(Rule 3, Section 2)

In addition to Government Organization, the following substantive committees will not have a chair for budget and oversight:

County Affairs,  
Criminal Jurisprudence,  
Judiciary,  
Retirement and Aging,  
Science and Technology,  
State, Federal, and International Relations, and  
Urban Affairs.

For these committees, the chair of the full committee will also serve as the chair for budget and oversight, and budget and oversight functions will be performed by the full committee rather than a subcommittee on budget and oversight.

(Rule 4, Section 2(a)(6), and Rule 9, Section 7(c))

7. County Affairs and Urban Affairs are reduced from 13 members to 11 members, and the chair of State Affairs (in addition to the chair of Appropriations) will only serve on one substantive committee.  
(Rule 3, Sections 6 and 35, and Rule 4, Section 4(2))

This has been done in order that every other member will serve on exactly 2 substantive committees.

8. Changes to jurisdictions of committees:

\*Minor changes to or corrections of the names of state agencies are not discussed in this synopsis.

a. The Texas Economic Development Commission, the Technology Training Board, the Texas World Trade Council, the Texas World Trade Development Authority, the Texas Tourist Development Agency, the Texas Film Commission, and the Texas Music Commission were consolidated into the new Texas Department of Commerce.  
(Rule 3, Sections 3 and 8)

b. The Texas Amusement Machine Commission was abolished.  
(Rule 3, Section 3)

c. The Criminal Justice Policy Council will be transferred from Criminal Jurisprudence to Corrections.  
(Rule 3, Sections 5 and 7)

d. The Criminal Justice Division Advisory Board has been abolished.  
(Rule 3, Section 7)

e. The Sesquicentennial Commission and the Texas Sesquicentennial Museum Board have been abolished.  
(Rule 3, Section 8)

f. The Governor's Energy Advisory Council has been abolished.  
(Rule 3, Section 10)

g. The Southern Interstate Nuclear Board was renamed the Southern States Energy Board.  
(Rule 3, Section 10)

h. Subject matter jurisdiction is added which will allow the speaker to refer legislation relating to industrial development and the permitting process to Environmental Affairs.  
(Rule 3, Section 11)

i. The Department on Aging will be transferred to Human Services from Retirement and Aging.  
(Rule 3, Sections 17 and 29)

j. The Council for Educational Services for the Deaf and the Governor's Coordinating Office for the Visually Handicapped have been abolished.  
(Rule 3, Section 17)

k. The judicial branch agencies have been consolidated under the Judicial Affairs Committee for purposes of budget and oversight.  
(Rule 3, Sections 7, 19, and 20)

l. The Texas Board of Licensure for Nursing Home Administrators will be transferred to Public Health from Retirement and Aging.

(Rule 3, Sections 26 and 29)

m. The Office of Interstate Compact on Mental Health Administrator for Texas, the Board of Osteopathic Examiners, and the Tuberculosis Advisory Committee have been abolished.

(Rule 3, Section 26)

n. The name of the State Board of Morticians has been changed to the Texas Funeral Service Commission.

(Rule 3, Section 26)

o. The Interagency Council on Early Childhood Intervention is added to the jurisdiction of Public Health.

(Rule 3, Section 26)

p. The Board for Lease of Parks and Wildlife Department Lands, the Texas Commission on Economy and Efficiency in State Government, and the Texas Commission on Interstate Cooperation have been abolished.

(Rule 3, Section 32)

q. The name of the Texas Building Authority has been changed to the Texas Public Finance Authority.

(Rule 3, Section 32)

r. The newly created Texas Bond Review Board is added to the jurisdiction of State Affairs.

(Rule 3, Section 32)

s. The Office of State-Federal Relations, the Good Neighbor Commission, and related subject matter jurisdiction will be transferred from State Affairs to the new committee on State, Federal, and International Relations.

(Rule 3, Sections 32 and 33)

t. The Texas Deepwater Port Authority has been abolished.

(Rule 3, Section 34)

#### Rule 4 - Organization, Powers, and Duties of Committees

9. A change has been made to allow the speaker to designate the chair and vice-chair of a committee from the total membership of the committee, either seniority appointments or speaker appointments. This will in no way affect the limited seniority provisions of the rules as the total number of available seniority positions on each committee will remain the same.

(Rule 1, Section 16(a), and Rule 4, Section 2)

10. A provision has been added which will, in the event an election contest is not resolved prior to the appointment of standing committees, prohibit the representative from the contested district from selecting a committee on the basis of seniority.

(Rule 4, Section 2(b))

11. Witness affirmation forms will accompany committee minutes but they will not be required to be attached to the minutes.  
(Rule 4, Section 21(c))

This reflects current practice by the committee coordinator's office. Due to space constraints, the minutes are stored in chronological order in one notebook and witness affirmation forms are stored in chronological order in another notebook.

12. The procedure by which interim and special study committees are established has been revised.  
(Rule 4, Sections 25 and 60 through 65)

The speaker will authorize and appoint all such committees. Such committees can no longer be created by resolution. Procedures will be established by concurrent resolution to allow the speaker and lieutenant governor to appoint joint study committees.

13. A criminal justice policy impact statement will be required to be prepared by the LBB for any bill or joint resolution which authorizes or requires a change in the sanctions applicable to convicted felons.

(Rule 4, Sections 33(b)(5) and 34(i) through (k);  
and Rule 13, Section 1(a)(1)(G))

a. The statement would be required before the committee could hear the bill.

b. The statement would be attached to the bill on first printing.

c. A new statement would be required if the committee amends the bill.

14. A water development policy impact statement would be required to be prepared by the Texas Water Development Board and the Texas Water Commission for any bill which proposes to create a water district under the authority of Article XVI, Section 59, of the Texas Constitution.

(Rule 4, Sections 33(b)(11) and 36; Rule 2, Section 1(a)(6);  
and Rule 13, Section 1(a)(1)(H))

a. The statement will be required before the committee could hear bill.

b. The Water Development Board and the Water Commission will have 30 days from the date that the bill is forwarded to them by the chief clerk to issue a statement; if they do not, the requirement is waived.

c. The statement will be attached to the bill on first printing.

d. A new statement will be required if the committee amends the bill (only if timely received).

e. A statement would not be required for a senate bill substantially similar to a house bill for which a statement has been prepared.

#### Rule 5 - Floor Procedure

15. The time limit for registering a vote with the journal clerk has been changed from 2 hours to 30 minutes.  
(Rule 5, Sections 45(2), 52, and  
Rule 2, Section 2(1)(N))

#### Rule 6 - Order of Business and Calendars

16. The provisions relating to the consideration of resolutions by the Local and Consent Calendars Committee have been clarified.  
(Rule 3, Section 23; Rule 4, Section 33(b)(7);  
Rule 6, Sections 14 and 22 through 24;  
and Rule 12, Section 4)

The language changes reflect current practice and are for clarification purposes only.

#### Rule 8 - Bills

17. The number of copies filed is changed from 15 to 14 for water bills and from 13 to 12 for other bills.  
(Rule 8, Section 9, and Rule 11, Section 1)

One of the services that was receiving copies is no longer in business.

18. Bills creating or affecting road utility districts are added to the list of local bills which require publication of local notice.  
(Rule 8, Section 10(c)(6))

Road utility districts are the only special purpose districts which currently do not require local notice under the rules or the constitution. Under state law, road district powers may be acquired by a municipal utility district (for which local notice is required under Article XVI, Section 59, of the Texas Constitution and under the House Rules).

19. The provision which would allow a member to call for a full reading of a bill at second or third reading has been removed.  
(Rule 8, Section 16)

This provision is archaic and has not been used for several years. The house currently has no need for this provision.

## Rule 9 - Appropriations Bills

20. A provision has been added that the rule does not apply during a special session.  
(Rule 9, Section 1(c))

The rule was clearly written to provide for the consideration of appropriations bills during a regular session. Because of references to 90 and 120 days, it is clearly not possible to comply with the rule during a special session. Adding this provision prevents the need to suspend the rule should a general appropriations bill need to be considered during a special session.

21. Necessary language changes were made to provide for the reduction of the Appropriations Committee from 29 members to 23 members. This requires the elimination of certain chairs for budget and oversight and the addition of provisions to allow the full committee for those committees to make budget recommendations to the Appropriations Committee.  
(Rule 1, Section 17, and Rule 9, Sections 4, 7(a), and 8)

22. An Article VII (Capital Outlay) is added as a non-assignable item of the general appropriations bill.  
(Rule 9, Section 5(a)(1))

## Rule 12 - Amendments

23. If a bill is recommitted to committee on 3rd reading, it will be required that the bill proceed through all stages (specifically 2nd and 3rd readings) if it is again reported from committee.  
(Rule 12, Section 5)

The rule previously stated that if a bill is recommitted to committee on third reading and later reported to the house, it shall be considered finally passed if it passes on 2nd reading.